

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; that I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention or design **SYSTEM AND METHOD FOR PROGRAMMING NETWORK NODES**, the specification of which (check one):

 X is attached hereto; or

 was filed on as

Application Serial No.

and was amended on (if applicable);

that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; and that I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Number</u>	<u>Country</u>	<u>Date</u> <u>Filed</u>	<u>Priority</u> <u>Claimed</u> <u>(Yes) (No)</u>
NONE			

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I

acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

<u>Application</u> <u>Serial Number</u>	<u>Date</u> <u>Filed</u>	<u>Status</u>
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NONE

I hereby appoint:

Jerry W. Mills	Reg. No. 23,005
Robert M. Chiaviello, Jr.	Reg. No. 32,461
Ann C. Livingston	Reg. No. 32,479
Thomas R. Felger	Reg. No. 28,842
Charles S. Fish	Reg. No. 35,870
Kevin J. Meek	Reg. No. 33,738
T. Murray Smith	Reg. No. 30,222
Barton E. Showalter	Reg. No. 38,302
David G. Wille	Reg. No. 38,363
Bradley P. Williams	Reg. No. 40,227
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Robert W. Holland	Reg. No. 40,020
James L. Baudino	Reg. No. 43,486
Tara D. Knapp	Reg. No. 43,723
William B. Borchers	Reg. No. 44,549
Brian W. Oaks	Reg. No. 44,981
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David M. Doyle	Reg. No. 43,596
Keiko Ichiye	Reg. No. 45,460
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Adam L. Stroud	Reg. No. P48,410
Travis W. Thomas	Reg. No. P48,667

Patent Agents:

Brian A. Dietzel	Reg. No. 44,656
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all of the firm of Baker Botts L.L.P., my attorneys and/or agents with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications filed thereon before any international authorities.

<u>Send Correspondence To:</u>	<u>Direct Telephone Calls To:</u>
Baker Botts L.L.P.	Robert W. Holland
2001 Ross Avenue, Suite 600	at 512.322.2693
Dallas, Texas 75201-2980	Atty. Docket No. 066101.0291

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of first inventor Charles R. Buckman
Inventor's Signature Charles R. Buckman
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Craig S. Cantrell

Inventor's Signature


8/2/01

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Brian C. Smith

Inventor's Signature



Date

7/31/01

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United States of America

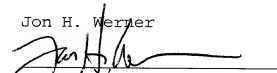
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Jon H. Werner

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Marc (nmi) Willebeek-LeMair

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J. Wayne Blackard

Inventor's Signature

J. Wayne Blackard

Date

8-8-01

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Francis S. Webster, III

8/9/01

Austin, Travis County, Texas

United States of America

809 Red Bud Trail
Austin, Texas 78746

Filed or Issued: Herewith
Title: System and Method for Programming Network Nodes

Attorney's Docket: 066101.0291

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c)) -- SMALL BUSINESS CONCERN

I hereby declare that I am an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Small Business Concern: Netpliance, Inc.
Address of Small Business Concern: 7501-B North Capital of Texas Highway
Austin, Texas 78731

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled SYSTEM AND METHOD FOR PROGRAMMING NETWORK NODES by inventors, Charles R. Buckman, et al., described in the specification filed herewith.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e):

NONE

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or my maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Jim Cahill
Title of Person if other than owner: Vice President and General Counsel
Address of Person Signing: Netpliance, Inc.
7501-B North Capital of Texas Highway
Austin, Texas 78731

Signature: 

Date: 8/9/01